

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-71
SENATE BILL 731**

AN ACT TO INCREASE THE SIZE OF PACKAGES OF FERTILIZER THAT MAY BE SOLD WITH NUTRIENT GUARANTEES STATED IN FRACTIONAL PERCENTAGES AND TO AUTHORIZE THE BOARD OF AGRICULTURE TO ADOPT TEMPORARY RULES IN ORDER TO ESTABLISH RENTAL RATES FOR THE USE OF FACILITIES OPERATED BY THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 106-659 reads as rewritten:

"§ 106-659. Minimum plant food content.

~~Superphosphate~~ Except as provided in this section, ~~superphosphate~~ containing less than eighteen percent (18%) available phosphate, or any mixed fertilizer in which the guarantees for the nitrogen, available phosphate, or soluble potash are in fractional percentages shall not be offered for sale, sold, or distributed in this State; ~~provided, however, packages~~ State. Packages of ~~16~~ 32 fluid ounces or less when in liquid form, or ~~16~~ 32 ounces or less avoirdupois when in a dry form, may be sold in fractional percentages, but ~~such~~ these packages are not exempt from any other requirements of this Article."

SECTION 2. Pursuant to G.S. 106-6.1, the Board of Agriculture may adopt temporary and permanent rules to establish rental rates for the use of farmers markets and agriculture centers operated by the Department of Agriculture and Consumer Services.

SECTION 3. This act is effective when it becomes law. The authority of the Board of Agriculture to adopt temporary rules under Section 2 of this act expires 1 March 2004.

In the General Assembly read three times and ratified this the 13th day of May, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 5:58 p.m. this 20th day of May, 2003